

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

Civil Writ Petition No.277 of 1996

Date of decision: 7th December, 2009

M/s Indersons Leathers Pvt. Ltd.

... Petitioner

Versus

Commissioner, Jalandhar Division and others

... Respondents

CORAM: HON'BLE MR. JUSTICE KANWALJIT SINGH AHLUWALIA

Present: Mr. O.P. Hoshiarpuri, Advocate for the petitioner.
Mr. Anil Kumar Sharma, Addl. AG Punjab
for the State.
Mr. H.N.S. Gill, Advocate for PSIEC.

KANWALJIT SINGH AHLUWALIA, J. (ORAL)

Present petition has been filed with a prayer that impugned order (Annexure P-15) dated 7th June, 1994, vide which industrial plot allotted to the petitioner was resumed, be quashed.

Mr. S.P. Singh, General Manager (Estates) is present in this Court, in consonance with the order passed in CWP No.8685 of 2008 on 16th November, 2009. The General Manager states that in the present case, the property was resumed for non-payment of dues.

Counsel for the petitioner submits that all the dues have been paid.

At this stage, Mr. S.P. Singh submits that in case petitioner pays the amount due in lumpsum, then the site can be restored and 50 percent penal interest will be waived off.

After hearing counsel for the parties, this Court is of the opinion that petitioner shall present himself before the Managing Director on 15th January, 2010. A calculation chart shall be provided to the petitioner. In case petitioner is willing to pay the amount after 50 percent penal interest is waived off, within one year in three installments, then the site shall be restored to the petitioner. If the petitioner is not agreeable and intends to assail calculation chart and the amount drawn is not acceptable to him, then the petitioner may challenge the calculation chart by filing a fresh writ petition. Needless to say, the petitioner will be at liberty to raise all pleas, including those which have been raised in the present petition.

With the observations made above, present writ petition is disposed of.

[KANWALJIT SINGH AHLUWALIA]
JUDGE

December 7, 2009
rps